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May 1, 2014

VIA ECF

Hon. Katharine S. Hayden, U.S.D.J.
United States District Court
District of New Jersey
Frank R. Lautenberg U.S.P.O. & Courthouse
One Federal Square
Newark, New Jersey 07102

Re: NXIVM Corporation, et al. v. Sutton, et al.
Docket No. 06-CV-1051 (KSH) (MF)

Dear Judge Hayden:

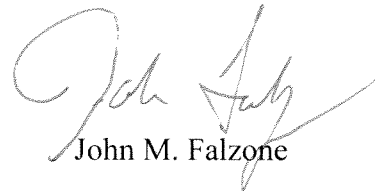
We write as counsel of record for cross-claim defendant Kristin Keffe in the above matter in response to Mr. McGuire's letter from earlier today in which Mr. McGuire requests that Your Honor delay in ruling on Ms. Keffe's pending motion for summary judgment against Rick Ross. As an initial matter, there should be no need for the Court to rule on Ms. Keffe's pending motion. Mr. Ross has requested that the Court voluntarily dismiss his claim against Ms. Keffe, which, if granted, would render the motion moot and remove Ms. Keffe as a party to this case.

If, however, the Court is not inclined to grant Mr. Ross's request, there should be no undue delay in ruling on Ms. Keffe's motion. Mr. McGuire provides no basis under this Court's rules or otherwise for the Court to delay in ruling on Ms. Keffe's dispositive motion simply because his clients would like the Court to retain jurisdiction over her. If Mr. McGuire's clients are concerned with allegedly stolen materials, they should file a temporary restraining order in the appropriate court and, if necessary, receive permission from that court for alternative service of process. That dispute, however, is unrelated to and should have no impact on the proceedings before this Court.

We thank the Court for its consideration of this matter.

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Respectfully submitted,



John M. Falzone

cc: Hon. Mark. Falk, U.S.M.J.
All Counsel
(via ECF)